

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

EDWARD L. POOL,

Plaintiff,

vs.

HAROLD L. WHITE,

Defendant.

NO. 2:16-CV-00218-JLQ

ORDER GRANTING MOTION FOR  
PROTECTIVE ORDER

BEFORE THE COURT is Defendant's Motion for Protective Order (ECF No. 10). Defendant has also filed a Declaration in Support (ECF No. 11) and a Stipulation of the Parties (ECF No. 12). Plaintiff has filed a Response (ECF No. 15). The court also directed the documents at issue be submitted *in camera*. Defendant filed a Reply and submitted the documents *in camera* on March 13, 2017. The court reviewed the *in camera* submission and issued an Order on March 16, 2017 (ECF No. 19).

**I. Discussion**

The background facts as alleged in the Complaint and the nature of this dispute have been set forth in prior Orders. (See ECF No. 14 and No. 19). In the last Order, the court noted the filing did not reflect whether Ms. Pritchard objects, consents, or has been consulted concerning the release of these medical records. The court directed she be provided a copy of the Order and the 5-pages of *in camera* documents and given the opportunity to object or consent to their production. On March 20, 2017, counsel for the Defendant<sup>1</sup> filed the Declaration of Robin Pritchard consenting to the release of the 5-

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<sup>1</sup>The Declaration acknowledges Ms. Pritchard is not a party to this lawsuit and is not being represented by the Office of the Attorney General.

1 pages of medical records subject to the terms of a protective order. (ECF No. 20). The  
2 parties had previously agreed to suggested terms for a protective order (Stipulation at  
3 ECF No. 12), and Ms. Pritchard references she has reviewed those terms and also agrees.

4 **IT IS HEREBY ORDERED:**

5 1. Defendant's Motion for Protective Order (ECF No. 10) is **GRANTED**.

6 2. Defendant shall forthwith produce to Plaintiff the five pages of documents  
7 previously submitted to the court for in camera review (hereafter the "Documents"). The  
8 production is subject to the following terms as agreed by the parties, and as modified by  
9 the court:

10 A) Counsel shall only disclose or disseminate the Documents for purposes  
11 reasonably necessary for the prosecution of the underlying litigation and appeals, if any;

12 B) Any individual who receives the Documents must agree in writing to not  
13 further disclose or disseminate the records or information received;

14 C) If a party wants to file the Documents, or any portion thereof, the Documents  
15 may be filed under seal without obtaining further order of the court; and

16 D) At the conclusion of the proceedings in this action, including any appeal, the  
17 parties must destroy and purge any copies of the Documents, except as necessary to  
18 maintain the integrity of litigation files.

19 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and  
20 furnish copies to counsel.

21 **DATED** this 20th day of March, 2017.

22 s/ Justin L. Quackenbush  
23 JUSTIN L. QUACKENBUSH  
24 SENIOR UNITED STATES DISTRICT JUDGE  
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